

19A NCAC 02B .0241 PLACEMENT OF HISTORICAL MARKERS IN ROW

(a) Requirements. The Department of Transportation will permit the placement of local historical markers within the right of way of state maintained highways provided:

- (1) No marker may be placed within the right of way of an interstate or freeway facility.
- (2) The marker design and location is approved and recommended by the North Carolina Historical Commission.
- (3) The requesting organization executes an encroachment agreement with the Department of Transportation's designated representative.
- (4) The marker location within the right of way is approved by the division engineer having jurisdiction in the county where the markers are proposed.
- (5) The marker conforms to the general criteria of size, color, placement, and construction as established by the State Highway Administrator.
- (6) The requesting agency agrees to relocate or remove the marker upon request of the Department of Transportation.

(b) Size, color, placement and construction of markers. The State Highway Administrator has established the following criteria for size, color, placement and construction of historical markers to be erected within the right of way of state routes:

- (1) Size.
 - (A) The size of the marker may be variable but shall not exceed the size of the standard state historical marker which is 48" high and 30" wide.
 - (B) All markers shall be rectangular in shape.
- (2) Color. The marker may be black on white or silver background, or white on green background.
- (3) Placement.
 - (A) The markers shall be placed as closely as possible to the actual site.
 - (B) Only one marker will be permitted for each site within the right of way.
 - (C) The signs shall be placed as far as possible from edge of pavement and shall not be placed where they may be confused with or interfere with other highway signs or where they may clutter an area. Sign offsets and vertical clearances shall conform to the "Manual on Uniform Traffic Control Devices" and to the North Carolina Supplement to the Manual on Uniform Traffic Control Devices.
 - (D) Signs shall not be erected in conjunction with any commercial advertising nor shall they be erected where fees are charged for profit.
- (4) Construction. In the interest of highway safety, marker supports shall be designed to breakaway or yield upon impact by a vehicle.

(c) Application Procedures. Any organization or person interested in erecting a historical marker within the right of way of a state system highway must first contact the Division of Archives and History of the Department of Cultural Resources in Raleigh, North Carolina. The Division of Archives and History will then present the request to the North Carolina Historical Commission for approval of the marker design and site location.

Note: See also G.S. 100-2 to 100-8 for reference.

History Note: Authority G.S. 136-18(10); 136-42.2; 136-42.3; 136-129; 136-130;

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